2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Canada

1. Step 12 of the 13 practical steps agreed to by all Governments at the 2000 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons calls for "regular reports, within the framework of the NPT strengthened review process, by all States Parties on the implementation of Article VI and paragraph 4 (c) of the 1995 Decision on 'Principles and Objectives for Nuclear Non-Proliferation and Disarmament', and recalling the Advisory Opinion of the International Court of Justice of 8 July 1996". In line with this commitment, and with a view to enhancing transparency and building confidence, Canada submits the present report on the implementation of the Non-Proliferation Treaty on an article-by-article basis and on the 13 practical steps. Such comprehensive reporting is not intended to expand the scope of the commitments made but is a reflection of the linkages that exist among the articles of the Treaty as well as the 13 practical steps. Canada would like to draw the attention of States parties to the decline in reporting experienced during this review cycle and has included as an annex to the present report the summary of a paper by Project Ploughshares on the Non-Proliferation Treaty reporting during 2002-2009. We encourage States parties to read the full paper and to consider how best to fulfil national reporting commitments in the future.

Article I

2. Canada continues to call upon nuclear-weapon States not to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices. In this respect, Canada views reductions by the nuclear-weapon States of their nuclear weapons inventories and the diminishment of the political and military value ascribed to nuclear weapons as playing an important role in discouraging further nuclear weapons proliferation. Nuclear proliferation continues to pose a threat to the world. Canada maintains that members of the United Nations must work together to ensure that Security Council resolutions are fully implemented and that States work together to halt activities that have no reasonable purpose other than the acquisition of nuclear weapons. For our part, Canada has fully implemented Security Council resolutions 1540 (2004), 1718

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(2006), 1737 (2006), 1747 (2007), 1803 (2008) and 1874 (2009). Canada welcomes the unanimous adoption of Security Council resolution 1887 (2009), which clearly reflects the renewed emphasis being placed on strengthening non-proliferation and disarmament efforts by the international community.

3. Canada is a member of the Group of Eight-led Global Partnership against the Spread of Weapons and Materials of Mass Destruction (hereinafter, Global Partnership), an initiative launched under Canadian leadership at the Group of Eight summit, held in Kananaskis, Canada, in 2002. Leaders committed US$ 20 billion over 10 years to address the threats posed by weapons or materials of mass destruction (including nuclear) and related knowledge. The Global Partnership, with 23 members, is a concrete international cooperative threat reduction mechanism implementing the non-proliferation, disarmament and counter-terrorism goals and objectives of the Non-Proliferation Treaty. In 2009-2010 alone, Canada spent over Can$ 23 million securing nuclear and other radiological materials. Canada is an active participant in the Proliferation Security Initiative, which seeks to enhance practical cooperation to impede and stop shipments of, inter alia, nuclear weapons material and technology flowing illegally to and from States and non-State actors, consistent with national legal authorities and international law. Canada is also an initial partner nation of the Global Initiative to Combat Nuclear Terrorism, and in 2008 Canada hosted a conference on security of radioactive sources, which involved more than 100 participants from over 20 partner States of the Initiative and the International Atomic Energy Agency (IAEA). Canada is also an active participant in the Nuclear Suppliers Group and the Group of Eight Non-Proliferation Directors Group. Canada will host the 2010 Group of Eight summit, and has chosen to make non-proliferation and the Review Conference one focus of our Group of Eight presidency.

Article II

4. Canada continues to abide by its NPT commitment not to receive the transfer of, receive control over, manufacture or acquire nuclear weapons or a nuclear explosive capability. This commitment is implemented domestically primarily through Canada's Nuclear Safety and Control Act of 2000 and the Export and Import Permits Act of 1985.

5. Canada calls on other non-nuclear-weapon States not to receive the transfer of, receive control over, manufacture, acquire or seek to receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices or their delivery vehicles. In this context, Canada remains very concerned by the nuclear test of the Democratic People's Republic of Korea on 25 May 2009. This ill-advised action undermines confidence in the commitment of the Democratic People's Republic of Korea to peace and security and contravenes the global norm against nuclear testing. The Democratic People's Republic of Korea's provocative actions are alarming and run contrary to its stated desire to engage constructively with the community of nations. Canada calls upon the Democratic People's Republic of Korea to immediately resume cooperation with IAEA inspectors, to comply fully with Security Council resolution 1874 (2009) requiring the suspension of all activities related to nuclear testing and its ballistic missile programme, and to fulfil all commitments it made as part of previous Six-Party agreements. We urge the Democratic People's Republic of Korea to return immediately to the Six-Party

Talks, which remain the best means to achieve a permanent, peaceful resolution of the Korean peninsula's long-standing security issues.

6. In a statement delivered on 4 February 2009, Canada's Foreign Minister urged the Islamic Republic of Iran to comply with the international obligations set out by the Security Council. On 10 February 2010, Canada's Prime Minister Harper further called on the Islamic Republic of Iran to end its defiance of the international community, suspend its enrichment activity and take immediate steps towards transparency and compliance by halting the construction of new enrichment sites and fully cooperating with IAEA. Canada also emphasizes that the Islamic Republic of Iran must also take steps to build confidence that its nuclear programme is exclusively for peaceful purposes, primarily by fully implementing the Additional Protocol to the Comprehensive Safeguards Agreement and providing IAEA with the necessary information to draw a positive conclusion. Canada has fully implemented in Canadian law the requirements of the most recent Security Council sanctions resolution on the Islamic Republic of Iran (1803 (2008)), and encourages the Islamic Republic of Iran to accept the P5+1 offer to exchange its illegally enriched nuclear material for fuel for the Tehran Research Reactor. Canada's national export control system is consistent with the lists of those multilateral nuclear export control mechanisms in which it participates. These measures serve to facilitate peaceful nuclear commerce and international cooperation while ensuring that non-proliferation policies are met. As part of our commitment to continuous improvement, Canada hosted an IAEA International Regulatory Review Service mission in June 2009. The review team has determined that Canada has a mature and well-established nuclear regulatory framework. Canada continues to cooperate actively with other like-minded States in a variety of international forums to develop new measures aimed at further strengthening the non-proliferation regime, particularly with regard to the transfer of enrichment and reprocessing technologies associated with the production of special fissionable material suitable for nuclear weapons purposes, and the suspension of nuclear cooperation in cases of non-compliance with nuclear non-proliferation commitments.

Article III

7. Pursuant to article III, Canada has in place a comprehensive safeguards agreement with IAEA. In support of IAEA efforts to strengthen safeguards, Canada concluded a protocol additional to its safeguards agreement, which entered into force on 8 September 2000. With both a comprehensive safeguards agreement and an additional protocol in place, IAEA is in a position to draw an annual conclusion regarding the non-diversion of declared nuclear material and the absence of undeclared nuclear material and activities for Canada as a whole. This broad conclusion, first achieved in 2005 and subsequently maintained on an annual basis, provides the highest level of confidence that Canada is in compliance with its peaceful use commitments under the Non-Proliferation Treaty. Furthermore, the attainment and maintenance of the broad conclusion has allowed IAEA to fundamentally change the way safeguards are undertaken in Canada, by implementing a State-level integrated safeguards approach. These developments are a direct result of Canada's strong support for the IAEA safeguards system and of the high level of cooperation between IAEA and Canada in the implementation of the comprehensive safeguards agreement and the additional protocol. In addition, through the Canadian Safeguards Support Programme, Canada contributes to the

research and development of state-of-the-art safeguards equipment and techniques aimed at strengthening the effectiveness and efficiency of the Agency's safeguards. This effort resulted in a contribution of approximately Can$ 1.5 million over the 2009/10 fiscal year. At IAEA and at the General Assembly, Canada continues to urge States that have yet to bring into force a comprehensive safeguards agreement and an additional protocol to do so as soon as possible. Canada is of the view that a comprehensive safeguards agreement together with an additional protocol constitutes the safeguards standard required under article III.

8. Consistent with its obligation not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to any non-nuclear-weapon State for peaceful purposes unless the source or special fissionable material is subject to IAEA safeguards, and with decision 2, paragraph 12, of the 1995 Non-Proliferation Treaty Review and Extension Conference, with the exception of India, Canada will only authorize nuclear cooperation involving proliferation-significant items with those non-nuclear-weapon States that have made an internationally legally binding commitment not to acquire nuclear weapons or other nuclear explosive devices and that have accepted IAEA safeguards on the full scope of their nuclear activities. All of Canada's nuclear partners have accepted, through a bilateral nuclear cooperation agreement with Canada, a number of additional measures designed to ensure that nuclear items supplied by Canada do not contribute to the proliferation of nuclear weapons. Canada maintains a national system for controlling the export of all items especially designed or prepared for nuclear use and certain nuclear-related dual-use items, including, with respect to the specific requirements of article III, paragraph 2, of the Treaty, source or special fissionable material and equipment or material especially designed or prepared for the processing, use or production of special fissionable material. It ensures that exports of nuclear and nuclear dual-use items are not authorized where there is found to be an unacceptable risk of diversion to a weapons of mass destruction programme or an unsafeguarded facility, or when an export would be otherwise contrary to Canada's non-proliferation policy and international commitments and obligations. Canada's export control legislation includes a catch-all provision.

Article IV

9. Canada strongly supports the peaceful uses of nuclear energy. Canada maintains a robust nuclear power programme and believes that nuclear energy can make an important contribution to prosperity and sustainable development, while also addressing concerns about climate change. To this end, Canada has 27 nuclear cooperation agreements in force, covering 44 States parties to the Non-Proliferation Treaty, both developed and developing, to provide a framework for the fullest possible exchange of nuclear and other material, equipment and technology. Since the 2005 Review Conference, Canada has held eight official bilateral consultations with nuclear cooperation agreement partner States, as well as formal administrative arrangement consultations with 14 nuclear cooperation agreement partner country authorities. Canada has been a strong supporter of the IAEA Technical Cooperation Programme and has often met or exceeded the rate of attainment for voluntary contributions to the IAEA Technical Cooperation Fund. Canada has also actively supported efforts to strengthen the Technical Cooperation Programme to make it more transparent and accountable in a results-based framework. The 2009 statement

by the Group of Eight Nuclear Safety and Security Group reaffirmed the commitment by Canada and a number of other States to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, and welcomed the entry into force of the International Convention for the Suppression of Acts of Nuclear Terrorism.

10. In view of the inherent relationship between the inalienable rights of States to the peaceful uses of nuclear energy and the obligations contained elsewhere in the Treaty, cooperation by Canada with other countries in the peaceful uses of nuclear energy takes fully into account the non-proliferation credentials of the recipient country. Canada is committed to working with other States and relevant international organizations on new arrangements for the supply of nuclear items, consistent with the balance of rights and obligations agreed to in the Treaty, in particular in articles II, III and IV. Canada welcomes efforts to develop new mechanisms to help assure reliable access to nuclear fuel, given the increased confidence such mechanisms could provide to those seeking to develop or expand nuclear power capabilities. With this in view, Canada welcomed the Russian Federation initiative to establish a reserve of low enriched uranium as a practical step forward and supported its approval by the IAEA Board of Governors. Canada also notes that many questions and concerns still exist about such initiatives and will assess each proposal on its individual merits.

11. Canada has also been involved in efforts to assist in the harmonized implementation of the IAEA Code of Conduct on the Safety and Security of Radioactive Sources and has provided extrabudgetary funding to IAEA on three occasions to support technical meetings for review of the implementation of the Code, specifically the IAEA Guidance on the Import and Export of Radioactive Sources. This funding facilitates participation by delegates from developing countries. As one of the world's leading suppliers and exporters of radioactive sources, Canada has a strong interest in the establishment and maintenance of an effective, efficient and harmonized international regime for ensuring their safety and security, including measures to prevent their use in malicious or terrorist acts. As such, Canada has implemented an enhanced export and import control programme for risk-significant radioactive sources in accordance with the IAEA Code and the Guidance. Canadian implementation encompasses full export controls, notifications and establishment of bilateral arrangements with foreign regulatory counterparts for the harmonized implementation of the IAEA Guidance. Since the establishment of the enhanced import and export control programme, the Canadian Nuclear Safety Commission has interacted with 82 countries and issued 615 licences to export risk-significant radioactive sources.

Article V

12. The Final Document of the 2000 Review Conference affirms that provisions of article V are to be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty. Canada signed that Treaty on 24 September 1996, when it opened for signature, and deposited its instrument of ratification on 18 December 1998. Canada was the first State signatory to the Treaty to sign a facility agreement with the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization on 19 October 1998. Canada has played an active role in encouraging further signatures and ratification of the Treaty, with a view to achieving its universality. In September 2009, Canada joined the consensus among Treaty

ratifiers in support of the Final Declaration of the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, held at United Nations Headquarters in New York. As a part of its Group of Eight presidency in 2010, Canada took a démarche to urge the Governments of all States that had yet to sign or ratify the Treaty to do so in advance of the 2010 Review Conference.

13. Canada co-sponsored the resolution on the Comprehensive Nuclear-Test-Ban Treaty (resolution 64/69) at the sixty-fourth session of the General Assembly. The resolution calls for the earliest entry into force of the Treaty and urges all States to maintain their moratoriums on nuclear-weapon test explosions until entry into force is achieved. Canada places a priority on the establishment of the Treaty's verification system and, as such, is a leader among State signatories in contributing resources and expertise to the development of the international monitoring system. Canada hosts 15 international monitoring systems stations and one laboratory. As announced by Canada's Minister for Foreign Affairs in his address at the 2009 Conference on the entry into force of the Treaty, Canada was finalizing the certification of its final monitoring station that forms part of the Comprehensive Nuclear-Test-Ban Treaty international monitoring system. Certification of this final station was achieved in November 2009.

Article VI

14. Canada continues to take very seriously the obligation of article VI and the commitments agreed upon in the 1995 Principles and Objectives and in the 13 practical steps at the 2000 Review Conference. These have been at the forefront of a number of activities and statements.

Steps 1 and 2

15. Canada's action in support of the Comprehensive Nuclear-Test-Ban Treaty and the moratorium on nuclear testing is described above, under article V implementation.

Steps 3 and 4

16. Canada supported decision CD/1864 that was adopted by consensus in the Conference on Disarmament in May 2009, the first programme of work adopted in the Conference on Disarmament in over a decade. Canada attaches priority in the Conference on Disarmament to the start of negotiations on a verifiable fissile material cut-off treaty. In the 2009 session of the First Committee of the General Assembly, Canada sponsored a resolution entitled "Treaty banning the production of fissile materials for nuclear weapons and other nuclear explosive devices" that, inter alia, called for the Conference on Disarmament to begin fissile material cut-off treaty negotiations early in its 2010 session. This resolution was adopted by consensus.

Step 5

17. Canada emphasizes the importance of transparency, irreversibility and verifiability in the reduction and elimination of nuclear weapons arsenals and facilities. At the sixty-fourth session of the General Assembly, Canada co-sponsored the resolution entitled "Renewed determination towards the total elimination of nuclear weapons" (resolution 64/47), which emphasized the importance of applying

irreversibility and verifiability, as well as increased transparency in the process of working towards nuclear disarmament.

Step 6

18. Canada reiterated its call on nuclear-weapon States to securely reduce and dismantle their nuclear-weapon arsenals in an irreversible and verifiable manner at the sixty-fourth session of the First Committee of the General Assembly. At that session, Canada voted in favour of resolutions 64/57, entitled "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments", and 64/47, entitled "Renewed determination towards the total elimination of nuclear weapons". Canada welcomes recent statements by several of the recognized nuclear-weapon States to work towards a step-by-step approach to reaching "global zero".

19. Canada supports the reduced salience of nuclear weapons and the significant reduction of NATO nuclear forces that has taken place since the end of the cold war. As a member of NATO, Canada continues to advocate that the Alliance play a positive role in advancing disarmament objectives through a continuous step-by-step approach in a manner that increases international peace and stability. Canada was one of the strongest and most vocal proponents of the NATO decision to endorse the 13 practical steps towards disarmament. The fact that NATO has reduced the number of weapons available for its substrategic forces in Europe by 90 per cent since 1991, and by more than 95 per cent since the height of the cold war is evidence of the Allies' commitment to disarmament.

Step 7

20. Canada firmly supports the nuclear disarmament talks that have been held between the United States and the Russian Federation. We welcomed the Joint Understanding issued by United States President Obama and Russian President Medvedev at their summit in July 2009, in which they outlined their goals for a successor agreement to START I. As noted above, Canada co-sponsored resolution 64/47, "Renewed determination towards the total elimination of nuclear weapons", at the sixty-fourth session of the General Assembly, which encouraged the Russian Federation and the United States to implement fully the Treaty on Strategic Offensive Reductions, which would serve as a step for further nuclear disarmament, and to undertake nuclear arms reductions beyond those provided for by the Treaty. It also welcomed the progress made by nuclear-weapon States, including the Russian Federation and the United States, on nuclear arms reductions to date.

Step 8

21. Canada has encouraged the Russian Federation and the United States to implement the Trilateral Initiative by submitting surplus stocks of fissile material to IAEA control.

Step 9

22. Canada's support for further reductions of nuclear weapons as an important step towards the elimination of nuclear weapons was expressed by our vote in favour of the resolution entitled "Towards a nuclear-weapons-free world: accelerating the implementation of nuclear disarmament commitments" (resolution

64/57) at the sixty-fourth session of the General Assembly. Canada also supports measures to reduce the operational readiness of nuclear weapons systems in ways that promote international stability and security, as called for in the resolution entitled "Renewed determination towards the total elimination of nuclear weapons" (resolution 64/47).

23. In 2002, Canada pledged Can$ 1 billion over 10 years to the Group of Eight-led Global Partnership. To date, through the DFAIT's Global Partnership Programme, Canada has spent more than Can$ 530 million to address these risks through concrete projects including more than Can$ 122 million in nuclear security and is scheduled to meet its commitment by 2012. Through the Global Partnership Programme, Canada has provided more than Can$ 61 million towards critical security upgrades at 10 nuclear facilities in the Russian Federation, and is also developing joint nuclear security projects with the United States in third countries beyond the former Soviet Union. The Global Partnership Programme has also funded multiple projects to secure highly radioactive sources. Canada is the third largest State donor to the IAEA Nuclear Security Fund, established to strengthen nuclear and radiological security worldwide. On 28 March 2009, Foreign Minister Cannon announced that Canada would contribute a further Can$ 4 million to the IAEA Nuclear Security Fund in order to complement the nuclear security improvements made previously. Working with the United States Department of Energy, Canada contributed to enhancing border security in order to prevent the illicit trafficking of nuclear materials. Canada also cooperated with the United States Department of Energy to recover and secure vulnerable, highly radioactive sources powering navigational devices, such as lighthouses. Canada has fully dismantled 13 decommissioned nuclear submarines and defuelled 30 reactors in the north-west region of the Russian Federation. In the far eastern region of the Russian Federation, Canada started projects for the safe transport of spent nuclear fuel from the region and has defuelled four reactors. Canada has contributed to the European Bank for Reconstruction and Development's Northern Dimension Environmental Partnership to manage safely and securely spent fuel (including highly enriched uranium) from submarines in the northern region of the Russian Federation. As a member of the International Science and Technology Center in Moscow and the Science and Technology Center in the Ukraine, Canada has funded over 180 individual research projects engaging over 2,600 former weapons scientists in civilian employment through various research projects and other programmes and activities, including in the area of nuclear and radiological security.

Step 10

24. Through the Global Partnership Programme, Canada is contributing to the elimination and disposition of fissile material, ensuring that it cannot be acquired by terrorists or countries of proliferation concern. Canada has also pledged funds towards the plutonium disposition programme of the Russian Federation, which will convert 34 tons of weapons-grade plutonium into forms not usable for weapons. In addition, Canada contributed to a United States-led project to shut down the last Russian weapons-grade plutonium producing reactor in Zheleznogorsk. The United States views nuclear terrorism as the most immediate threat to global security, and President Obama has stated his goal of securing all vulnerable nuclear materials around the world within four years. Consonant with this, President Obama is hosting the first Nuclear Security Summit in April 2010, inviting 44 Heads of State and

three international organizations to strengthen domestic and international commitments to enhance nuclear security and combat the illicit trafficking of nuclear materials. Canada strongly supports the Nuclear Security Summit and welcomes the United States goal of securing all vulnerable nuclear materials around the world over the next four years. Through the Group of Eight Global Partnership, Canada will continue to work with the United States in developing joint nuclear security projects around the world to address those risks.

Step 11

25. In the interests of general and complete disarmament, Canada is a State party to the Biological and Toxin Weapons Convention (for which Canada's Ambassador Marius Grinius chaired the 2009 meetings), the Chemical Weapons Convention, the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, the Treaty on Conventional Forces in Europe, the Treaty on Open Skies, the Convention on Certain Conventional Weapons and the Outer Space Treaty. During the fiscal year 2009-2010, Canada continued to support mine action in Asia, Africa, the Middle East and South America. Canada has signed the Convention on Cluster Munitions and is working on its early ratification.

Step 12

26. At the 2005 Review Conference, Canada submitted a working paper (NPT/CONF.2005/WP.39) on the concept of "permanence with accountability" for the Non-Proliferation Treaty, which among other proposals, supported the practice of submitting annual reports on treaty implementation prior to such meetings. This followed up a number of previous papers submitted by Canada at earlier Preparatory Committee meetings on the topic. Canada commends States for the information they have provided to date but notes that the number of reports by State parties continues to decline with only five reports submitted to the 2009 Preparatory Committee. Canada continues to encourage States to submit information about their efforts and activities as official reports prior to Preparatory Committee meetings as well as Review Conferences.

Step 13

27. In early 2005, Canada submitted a major study on weapons of mass destruction verification and compliance to the Weapons of Mass Destruction Commission, which has been published as part of the Commission's series of papers and studies and is available at http://www.wmdcommission.org. Canada also tabled a resolution entitled "Verification in all its aspects, including the role of the United Nations in the field of verification" (resolution 62/21) at the sixty-second session of the General Assembly, which was adopted by consensus. Canada will again table a resolution on verification at the sixty-fifth session of the General Assembly.

Article VII

28. Canada continues to underline the need to preserve and respect the negative security assurances provided by nuclear-weapon States to non-nuclear-weapon States parties to the Non-Proliferation Treaty. While not itself a member of a nuclear-weapon-free zone, Canada welcomes and encourages progress to develop

and implement nuclear-weapon-free zone agreements consistent with international law and internationally agreed criteria. At the sixty-fourth session of the General Assembly, Canada supported resolutions calling for the establishment or consolidation of nuclear-weapon-free zones.

Article VIII

29. The indefinite extension of the Non-Proliferation Treaty and accompanying decisions adopted in 1995 enshrined the concept of permanence with accountability. In accordance with the commitments arising from the Final Document of the 2000 Review Conference, Canada delivered at the 2005 Review Conference its fourth report on its implementation of the Treaty, followed by reports at the 2007, 2008 and 2009 preparatory committees. Canada also reported on the steps taken to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East.

30. Canada has been active in promoting measures to reinforce the authority and integrity of the Treaty and ensure the implementation of its obligations. At the 2005 Review Conference, Canada presented a working paper (NPT/CONF.2005/WP.39) with recommendations for a revamped Non-Proliferation Treaty process, making suggestions on meeting frequency and structure (including possibility for extraordinary meetings), reporting, the participation of civil society and the creation of a standing bureau. This was followed up with another working paper submitted at the 2007 Preparatory Committee. Canada reaffirmed and elaborated upon these proposals in a working paper submitted at the 2009 Preparatory Committee session on the same subject. Canada, working with a group of States in Geneva, has further refined these proposals and will advocate for a series of decisions to further strengthen the Non-Proliferation Treaty review process at the 2010 Review Conference.

Article IX

31. Canada has consistently worked for the universalization of the Non-Proliferation Treaty. At the sixty-fourth session of the General Assembly, Canada co-sponsored the resolution entitled "Renewed determination towards the total elimination of nuclear weapons" (resolution 64/47), which reaffirms the importance of the universality of the Non-Proliferation Treaty and calls upon States not party to the Treaty to accede to it as non-nuclear-weapon States without delay and without conditions. Canada views its position in this regard as consistent with Security Council resolution 1540 (2004) (as well as resolutions 1673 (2006) and 1810 (2008)) on the non-proliferation of weapons of mass destruction, which calls on all States to promote the universal adoption and full implementation of multilateral treaties, the aims of which are to prevent the proliferation of nuclear, biological and chemical weapons.

Article X

32. Canada has continued to coordinate a core group of countries at the IAEA General Conference responsible for a resolution on the Democratic People's Republic of Korea. As in past years, since 2006 the Canadian-led core group has annually facilitated the adoption by consensus of a resolution to promote the

resumption of that country's obligations under the Non-Proliferation Treaty, including the implementation of its comprehensive safeguards agreement.

33. Canada welcomed the indefinite extension of the Non-Proliferation Treaty, adopted without a vote in 1995. Negative security assurances provided in 1995 by the five nuclear-weapon States parties to the Treaty in Security Council resolution 984 (1995) furnished part of the basis for this indefinite extension, as paragraph 8 of the "principles and objectives for nuclear non-proliferation and disarmament".

Article XI

34. Not applicable.

Annex

"Transparency and accountability: NPT reporting 2002-2009" by Project Ploughshares

Summary[1]

1. The indefinite extension of the Non-Proliferation Treaty (NPT) in 1995 was agreed in the context of a collective commitment by States parties to strengthening the Treaty's review process and, in particular, with a heightened sense of the need for mutual accountability in the implementation and furtherance of the aims of the Treaty. In 2000, States agreed (in step 12 of the 13 practical steps) that such accountability would be advanced by a more formalized approach to reporting by each State party to its Treaty partners, providing regular information on the actions taken and policies followed to meet the requirements of the Treaty and to implement additional measures agreed in the review process.

2. States parties to NPT have now had seven specific occasions to submit the "regular reports" that were agreed in the Final Document of the 2000 Review Conference. Some 48 States have used at least one of those opportunities and have together submitted 123 reports. Only four have reported to each Preparatory Committee and Review Conference since 2000.

3. This summary provides an overview of the paper entitled "Transparency and accountability: NPT reporting 2002-2009", which compiles the reporting to date, provides background to the reporting commitment, reviews the continuing discussion of the appropriate scope and format of reports, broadly surveys the content of reports submitted and recommends ways in which reporting can be strengthened and thus better meet the principle of accountability that was emphasized as part of the 1995 indefinite extension of the Treaty.

4. As shown in figure 1, just over one quarter of the 189 States parties to NPT have reported at least once since 2000, and 1 in 6 submitted reports to the 2005 Review Conference. At the 2007 Preparatory Committee, 1 in 20 reported. But in 2009, only five reported — less than 1 in 30.

Figure 1

48	States have submitted at least one report
11	States reported in 2002
28	States reported in 2003 (20 for the first time)
29	States reported in 2004 (8 for the first time)
35	States reported in 2005 (9 for the first time)
9	States reported in 2007 (none for the first time)
7	States reported in 2008 (none for the first time)
5	States reported in 2009 (none for the first time)

[1] The full document can be accessed at: http://www.ploughshares.ca/abolish/NPTReporting.html.

4 States have submitted reports all seven years

16 States have submitted only once

4 States have reported to every Preparatory Committee and Review Conference since 2000

5. It is noteworthy that a relatively high proportion, almost two thirds, of the 44 States in annex 2 of the Comprehensive Test Ban Treaty have reported at some point since 2000 (see figure 2, which identifies reporting by States within various groupings). Annex 2 lists States with some nuclear technology capability, all of which must ratify the Comprehensive Test Ban Treaty before it can enter into force, and three of which (India, Israel and Pakistan) are not parties to the Non-Proliferation Treaty. Only two nuclear-weapon States are included among the 48 States reporting. The Russian Federation and China each submitted formal reports in 2005. The three non-NPT States in possession of nuclear weapons are not under any formal reporting requirement because they are not NPT signatories. All of the nuclear-weapon States that are party to NPT have reported informally through a variety of statements and background materials. For the most part, however, the nuclear-weapon States have chosen not to provide formal reports, in defiance of the promise made when they agreed to the 2000 reporting provision.

Figure 2

6 **New Agenda Coalition** States reported:
Brazil, Ireland, Mexico, New Zealand, South Africa, Sweden
(*Egypt, also a member, has not reported*)

12 **Non-Aligned Movement** States reported:
Cuba, Guatemala, Indonesia, Iran (Islamic Republic of), Malaysia, Mongolia, Morocco, Nigeria, Peru, South Africa, Sri Lanka, Thailand
(*Non-Aligned Movement membership is now at 118, 106 of which have not reported*)

19 **North Atlantic Treaty Organization** States reported:
Belgium, Bulgaria, Canada, Czech Republic, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Spain, Turkey
(*of the 26 members of the North Atlantic Treaty Organization, the following seven did not report: Denmark, Estonia, France, Iceland, Slovenia, United Kingdom, United States*)

19 **European Union** States reported:
Austria, Belgium, Czech Republic, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Romania, Slovakia, Spain, Sweden
(*the following European Union States did not report: Bulgaria, Cyprus, Denmark, Estonia, France, Malta, Slovenia, United Kingdom*)

30 **Comprehensive Nuclear-Test-Ban Treaty annex 2** States reported:
Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, China, Finland, Germany, Hungary, Indonesia, Iran (Islamic Republic of), Italy, Japan, Mexico, Netherlands, Norway, Peru, Poland, Republic of Korea, Romania, Russian Federation, Slovakia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine
(of the 44 annex 2 States, 3 — India, Israel and Pakistan — are not signatories to NPT, and 11 others that are parties to NPT have not reported — Algeria, Bangladesh, Chile, Colombia, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, France, United Kingdom, United States, Viet Nam)

2 **nuclear-weapon** States formally reported:
Russian Federation, China
(France, United Kingdom, United States have not submitted formal reports)

6. A decline in attention to reporting is reflected in the fact that 2007 was the first year since the 2000 agreement on reporting in which no new States were added to the list of reporting States. In other words, the first year in which no State submitted a report for the first time. This trend continued and no new States reported in 2008 or 2009. Indeed, 2009 saw the lowest level of reporting since the obligation to report was undertaken, when only five States submitted a report. A decline from the level of reporting to the 2005 Review Conference was perhaps to be expected, but a 75 per cent drop should be taken as a worrying sign about the level of commitment to transparency and accountability. To date the greatest increase in levels of reporting occurred in 2003, when 20 States submitted reports for the first time. The highest level of reporting occurred at the 2005 Review Conference, when 34 States reported, 11 for the first time. Of the 48 States that have submitted a report to date, 34 have reported more than once, and of these, only Australia, Canada, Japan and New Zealand have reported at all meetings of the review process since 2000.

7. There is not yet wide agreement on the format of reporting. There are many variations, but they can be divided into three basic categories, as shown in figure 3. The "general" format refers to reports that tend to focus on article VI issues and describe broadly the reporting State's activities in support of disarmament. The "articles" format refers to submissions that report on activities related to each article of the Treaty, generally on the grounds that the Treaty is an integrated whole and that all its articles are relevant to the implementation of nuclear disarmament. The "13 steps" approach reports on each element of the widely agreed disarmament agenda outlined in the 2000 Review Conference 13 practical steps.

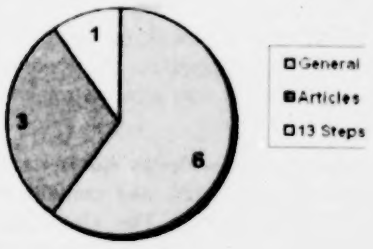
8. Some States, notably Canada and New Zealand, have reported in two formats: article-by-article and the 13 steps. Most States still prefer the general format of reporting on their disarmament activities, responding to the particular language of the 2000 Final Document, entitling their reports "Implementation of article VI and paragraph 4 (c) of the 1995 Decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament". Some States refer simply to reporting on the implementation of article VI, without mentioning the 1995 Decision. Others use the title, "Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons", broadening the reporting mandate to the entire Treaty.

9. The charts in figure 3 examine the breakdown of the various reporting formats since 2002: the article-by-article (articles) and 13 steps formats, as well as the general narrative of activities relevant to article VI reports. In the period from 2003

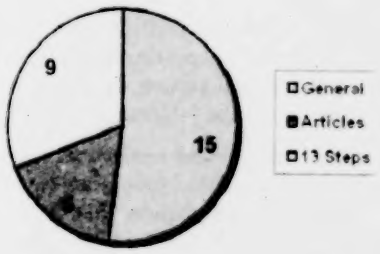
to 2009, New Zealand is counted twice, while Canada is counted twice in the period from 2007 to 2009, due to the fact that these States used two formats in the years listed. The general narrative format consistent with the 1995 Principles and Objectives and article VI continues to be the most widely used, although States are increasingly exploring other formats.

Figure 3

Report formats 2002
Total: 10

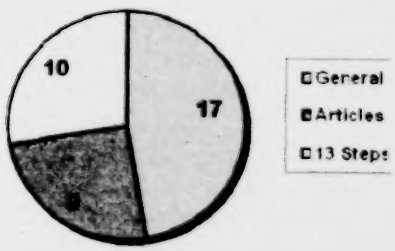


Report formats 2003
Total: 29



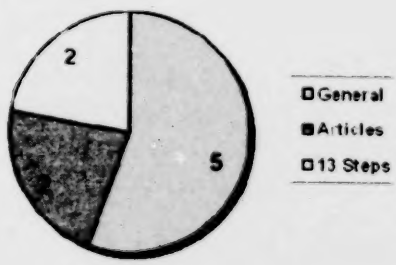
Report formats 2004
Total: 30

Report formats 2005
Total: 36



Report formats 2007
Total: 11

Report formats 2008
Total: 9



Report formats 2009
Total: 7

10. The full report, which can be accessed at http://www.ploughshares.ca/abolish/NPTReporting.html, includes a detailed table that summarizes the contents of the formal reports that have been submitted until 2009, as well as a section that documents the informal reports of nuclear-weapon States.

11. The present annex was authored by Ernie Regehr, Senior Policy Adviser and Cesar Jaramillo, Programme Associate, of Project Ploughshares, and contains a range of information that may be of interest to States parties. The views and positions expressed in the paper are solely those of the authors: the paper is contributed purely to stimulate informal discussion among States parties in preparation for the Review Conference.